



021204

15915 U.S. PTO

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 038664.49970D1

22553 U.S. PTO
10/776256

021204

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No.: 09/893,998
Filed on: June 29, 2001
Of: Franz CEMIC *et al.*
Entitled: ILLUMINATION DEVICE, AND COORDINATE
MEASURING INSTRUMENT HAVING AN
ILLUMINATION DEVICE
Examiner: Arnel C. LAVARIAS
Group: 2872

- ☒ 1. Accompanying this order is a copy of the prior application as originally filed (pages 1-25, plus Abstract)
- ☒ 2. 5 sheets of drawings showing Figures 1-5 (copied from 09/893,998).
- ☒ 3. Declaration and Power of Attorney:
 - ☐ a. Newly executed (original or copy)
 - ☒ b. Copied from prior application
 - ☐ i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- ☒ 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ 5. Cancel original claims 1, 2, 5 and 6.

- CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

☐ 8. Please charge my Deposit Account No. 05-1323 (Docket #___) in the amount of \$___.

☒ 9. A check in the amount of \$856.00 to cover the filing fee is enclosed.

☒ 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket # 038664.49970D1).

☒ 11. Amend the specification by inserting before the first line the sentence: -- This application is a division of application Serial No. 09/893,998, filed June 29, 2001.--

☒ 12. Priority of Appln. No(s). 100 31 719.7, filed in Federal Republic of Germany on June 29, 2000, is hereby claimed under 35 U.S.C. 119.

☒ 13. A certified copy of each said priority document was filed in application Serial No. 09/893,998 on June 29, 2001.

☒ 14. The prior application is assigned of record to LEICA-MICROSYSTEMS WETZLAR GMBH.

- ☒ 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- ☒ a. The power appears in the original application papers in the prior application.
- ☐ b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- ☒ c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application.
- ☒ d. Address all future correspondence to:

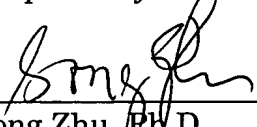
CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

Customer No.
23911

- ☒ 16. Form PTO-892 listing prior art made of record in the prior application is attached. A copy of each of the listed references should be available in the prior application file.
- ☒ 17. A Preliminary Amendment is being filed herewith.
- ☒ 18. Return Receipt Postcard.
- ☒ 19. Other: Application Data Sheet

Respectfully submitted,

February 12, 2004



Song Zhu, Ph.D.
Registration No. 44,420

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